



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

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September 26, 1983

Mr. James R. Gillespie
Capitol Park Plaza
P. O. Box 1368
Boise, Idaho 83701

NEW FILE

RE: U. S. Ferto Corporation
Clawson 1-2-3 Mine
DOE/039/005
San Pete County, Utah

Dear Mr. Gillespie:

This letter is in response to your past correspondence regarding U. S. Ferto Corporation's mining activities in San Pete County, Utah. The Division has been in contact with the U. S. Forest Service, Manti-LaSal National Forest and has obtained confirmation that U. S. Ferto Corporation is properly permitted and mining in accordance with its mining and reclamation plan as approved by that agency, including posting of surety.

Upon an on-site inspection of this operation performed by Division personnel September 16, 1983, it was determined that the activities having occurred to date, and as proposed in the future, do not meet the requirements of the Utah Mined Land Reclamation Act of 1975 (Title 40, Chapter 8, UCA 1953) regarding the definition of a mining operation, specifically Section 40-8-4(6). Therefore, this operation is exempt as provided for in the statute, and the Utah Division of Oil, Gas and Mining has no current regulatory jurisdiction in this matter.

Should you have any further concerns regarding this operation, I suggest you contact the USFS, Manti-Lasal National Forest, 599 West Price River Road, Price, Utah 84501, or meet with U. S. Ferto Corporation personnel directly.

Sincerely,

JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

JWS/btb

cc: Howard Turrell, U. S. Ferto Corporation
Reed Christensen, Manti-LaSal National Forest
D. Darby, DOGM